



PATENT  
Customer No. 22,852  
Attorney Docket No. 07579.0006-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Graham E. KELLY

Application No.: 09/986,509

Filed: November 09, 2001

For: TREATMENT OR PREVENTION  
OF MENOPAUSAL SYMPTOMS  
(as amended)

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) Group Art Unit: 1617  
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) Examiner: Edward J. Webman  
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Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents, including any copending patent applications, are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

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German published application DE 44 32 947 A1 and Grunert et al. are not in English. In lieu of a statement of relevance or translation of the non-English documents, English language versions of the EPO Communication dated March 8, 2002, and the EPO Supplementary Partial European Search Report dated October 11, 2002, citing these documents and setting forth their relevance are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

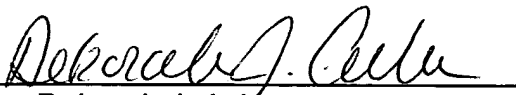
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 20, 2002

By:   
Deborah J. Acker  
Reg. No. 48,916

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## INFORMATION DISCLOSURE CITATION

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Atty. Docket No.	07579.0006-01	Appln. No.	09/986,509
Applicants	Graham E. KELLY		DEC 27 2002
Filing Date	November 09, 2001	Group:	1617

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## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
DE 44 32 947 A1	03/21/96	Germany			No
JP 1042427 A	02/14/89	Japan			Abstract
WO 99/18927 A1	04/22/99	PCT			Abstract

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Grunert E. and Woelke, G., "Isoflavone in einigen Weiß- und Rotkleearten und ihre oestrogene Wirksamkeit bei juvenilen Mäusen," Deutsche Tierärztliche Wochenschrift, 74. Jahrgang 1967, p. 431-433
Lindner, H.R., "V/1 Occurrence of Anabolic Agents in Plants and their Importance," Environmental Quality and Safety Supplement, Thieme, Stuttgart, Germany, 1976, 5: 151-158
Naim, M., "The Isolation, Characterization and Biological Activity of Isoflavones from Soybeans," Submitted to the Senate of the Hebrew University of Jerusalem - October 1974
Sharma, R.D., "Effect of Various Isoflavones on Lipid Levels in Triton-treated Rats," Atherosclerosis 33, 1979, p. 371-375
Weinberg, David S. et al., "Identification and Quantification of Anticarcinogens in Garlic Extract and Licorice Root Extract Powder," Journal of High Resolution Chromatography, 1992, p. 641-654
EPO Communication dated March 8, 2002
EPO Supplementary Partial European Search Report dated October 11, 2002

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce